

SPECIAL COMMON COUNCIL ACTING AS SEX OFFENDER BOARD MEETING JUNE 18, 2012

The meeting was called to order at 7:30 p.m. by Mayor Moede with the following roll call:

Members Present: Ald. Sertich, Ald. Toellner, Ald. Pasbrig, Ald. Redeker, Ald. Schmidt

Members Absent: Ald. Schaefer

Others Present: Mayor Moede, Deanna Boldrey, Kathie Wild, Ben Brown, Chris MacNeill
Tom Lust, Jennifer Lust, Megan Sheridan, Kara Johnson, Katie Leb,
Trisha Peterson, Theresa Metzger, Corey Bates, Vince Wild, Danielle Wiedmeyer,
Brian Elfers, Teresa Kueger, Mike Bonnett, Renee Rusteika, Beth McGowan

Appeal of the Denial of Thomas Lust Request to Reside at 200 North High Street, 251-1216-2423-051. The City Clerk Read the Appeal as written by Rachel Cook, Mr. Thomas Lust's sister-in-law.

Citizen Comments.

The Clerk Read the Citizen Comment Rules. Several residents of Mayville and of the High Street area came to the podium to speak in favor of upholding the ordinance and decision. The Common Council Chambers were full.

Trisha Peterson came to the podium. She noted to support a safe community to raise children. She has two children ages of 7 and 5. She commented to the Council to make a good decision.

Theresa Metzger came to the podium. She is the grandparent of four kids. She noted the wooded lot behind High Street and that the kids play there all the time. She noted concern of the kids in the neighborhood.

Corey Bates came to the podium. She noted concern of kids walking to park and she would worry about the children's safety.

Vince Wild came to the podium. He noted that he does not want Mr. Lust in their neighborhood.

Danielle Wiedmeyer came to the podium and noted concern of kid's safety.

Brian Elfers came to the podium. He noted that Thomas Lust was found guilty of his peers. He noted prior issues with people running thru woods and snooping in windows.

Teresa Klueger came to the podium and reported that she has never had a safety concern until now.

Mike Bonnett came to the podium. He reported that if this is allowed to continue, parents will not let their kids outside to play.

Renee Rusteika came to the podium. She noted that she and her family moved into Mayville about 10 years ago. There were prior issues with someone snooping. This brings fear for her and for her family.

Michele came to the podium. She noted the kids playing in the neighborhood. She does not want to lose the security and safety feeling.

Beth McGowan came to the podium. She noted Mr. Lust is a sexual predator. There are other incidents on record. He has lost the privilege by ordinance to live in an area with children around. She noted not to consider someone that can pose a danger to community.

Chris MacNeill, Chief of Police, 25 S School Street, reported that he is tasked by enforcing City Ordinances and the safety of the community. A week ago he was contacted by the department of corrections and advised of the release of Mr. Lust and that Mr. Lust is a registered sex offender and wants to return to his home on 200 North High Street. In 2008 the City of Mayville passed the sex offender ordinance which prohibits any sex offender after that date to live within 1,200 feet of a school, licensed day-care center, park, trail, playground, place of worship, or any other place designated by the City as a place where children are known to congregate. Chris did measure the distance of Mr. Lust's property from such area. He did obtain a copy of the police report which was very graphic and did give the council a portion of the report. He is standing by the denial.

Ald. Sertich reported that she had quite a few phone calls from those concerned for their children being targeted. She noted concern that we are here for the voice of the children. The parents asked the council to look at this fairly. They indicated the playground, church, daycare, golf course and wooded lots. She noted that she had a couple questions. She asked if any information was received from the DA as the terms of his release. She questioned the sentence, imprisonment, and so forth. The Chief noted he does not know the terms of release. He did state that the Department of Corrections has standards for public notification when there is a dangerous person being released who may pose a threat and that is when they do public notification. This was not one of those situations from the Department of Corrections. Mr. Lust wanted to return home but based on the ordinance he could not do that. Chris noted that the City of Mayville assisted Waukesha in the initial arrest. Ald. Sertich noted that it is an open record. Chris confirmed that the reports are an open record and that is how he obtained copy of the record.

Ald. Redeker noted that just because the person does not live in your neighborhood it does not make this any less of a threat. The internet can go all over. He noted to educate children about the threats and anyone could be at the end of the chat line. Mayor Moede noted to educate children about what happens over the internet.

Thomas Lust came to the podium. He noted that he was very sorry this happened. His marriage was on the rocks, and when this happened he was unemployed and depressed. He was arrested and has spent seven months in jail. He noted he would lose his house. He noted he could live in Mayville just not in certain areas and he had been punished enough. He reported that this is a victimless crime. He never met anybody. Tom continued that he cannot go to parks. He will be going home and work and grocery store. He noted he could be a danger living in Knowles. He noted that he has paid for it and is still paying.

Chief MacNeill reported that we got lucky this time because the person on-line was an undercover cop. Chief MacNeill read portions of the police report noting that the person identified themselves as a 13 year old female within five minutes of the conversation and Mr. Lust continued to chat. Mr. Lust indicated he could get into trouble for having sex with her and still wanted to. Mr. Lust had dreams and fantasies about her. Upon being arrested Mr. Lust admitted he had intended to meet with this female and have sex and that he would have went thru with it.

Julie came to the podium. She reported to not let Mr. Lust live in their neighborhood.

Jennifer Lust came to the podium. She stated that Mr. Lust, her husband, was not tried by jury of peers. He plead guilty because his lawyer told him to. They have family and friends with young kids. She continued that Mr. Lust had been railroaded by police department and that he is not a detriment to society. She noted that there was no victim. The police department enticed him and he was stupid.

Ald. Pasbrig noted that the ordinance is in place for a reason and to adhere to the ordinance.

The Mayor did ask if anyone else wants to speak. No one came to the podium.

Motion by Ald. Sertich, second by Ald. Toellner to Uphold the Decision that has been Made to Deny Mr. Lust to live in his residence. Ald. Schmidt clarified the motion is to uphold the decision and that this means Mr. Lust cannot live at this residence. Motion carried 5-0.

Adjournment.

Motion by Ald. Sertich, second by Ald. Toellner to adjourn the meeting at 7:59 p.m. Motion carried 5-0.

Deanna Boldrey

City Clerk